

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ARIEL RIVERA

Plaintiff

v.

JAMES DZURENDA,

Defendant

Case No.: 2:19-cv-00961-JAD-BNW

Order Dismissing and Closing Case

[ECF Nos. 32 and 33]

Ariel Rivera moves to withdraw his complaint,¹ and I construe that request as a motion to voluntarily dismiss this action. Rivera also asks the court to provide him copies of all documents filed by him in this action.² I grant the motion to withdraw, and I dismiss this case per Rivera's request. But I deny Rivera's request for documents because the indigent-plaintiff statute does not authorize the court to foot the bill for such copies.

Federal Rule of Civil Procedure 41(a)(1) allows a plaintiff to dismiss a case without a court order by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." Fed. R. Civ. P. 41(a)(1)(A)(i). I grant Rivera's motion to voluntarily dismiss this action because no responsive pleading has been filed in this case, and I do so without prejudice.

But I must deny Rivera's request for copies of case documents. An inmate has no constitutional right to free photocopying. *Johnson v. Moore*, 948 F.2d 517, 521 (9th Cir. 1991). And the court cannot provide free copies even to indigent plaintiffs as 28 U.S.C. § 1915 does not

¹ ECF No. 32.

² ECF No. 33.

1 authorize the court to pay the costs for an indigent litigant's general copy requests. If Rivera
2 wishes to receive copies of electronically filed documents from the court, the cost is \$0.10 per
3 page. Nev. LR IC 1-1(i)(5); 28 U.S.C. § 1914.

4 IT IS THEREFORE ORDERED that Rivera's motion to voluntarily dismiss this action
5 **[ECF No. 32] is GRANTED** and **THIS ACTION IS DISMISSED** without prejudice. The
6 Clerk of Court is directed to **ENTER JUDGMENT** accordingly and close this case. No other
7 documents may be filed in this now-closed case.

8 **IT IS FURTHER ORDERED** that the motion for copies of all of Rivera's filings in this
9 action **[ECF No. 33] is DENIED.**

10 Dated: February 2, 2021

11 
12 _____
13 U.S. District Judge
14
15
16
17
18
19
20
21
22
23